



United States
Environmental Protection Agency
Washington, DC 20460

FEDERAL REGISTER TYPESETTING REQUEST

Requestor: Complete items 1, 2, 7, 8, 9, 10, 11, 12 and 13. Retain copy number 7 and submit the balance with manuscript copy to the Hq. Federal Register Office.
HQ Federal Register Office: Complete items 3, 4, 5 and 6. Retain copy number 6 and submit balance to Hq. Printing Management.

1. TITLE			
2. SUBMITTING ACTIVITY		3. ASSIGNED FRL NUMBER (include alpha & numeric characters for identification.)	
4. OPEN REQUISITION NUMBER		5. BILLING CODE	
6. FORWARDED TO GSA, NARS - SIGNATURE			DATE
7. NUMBER OF MANUSCRIPT PAGES	8. ESTIMATED NUMBER OF COLUMNS	9. ESTIMATED COST	
10. SIGNATURE: (a) REQUESTING OFFICER <i>William A. ...</i>		11. SIGNATURE: (a) FEDERAL REGISTER DESIGNEE	
(b) DATE 12/5/02	(c) TELEPHONE NUMBER ...	(b) DATE	(c) TELEPHONE NUMBER
12. FUNDS ARE AVAILABLE			

NAME OF FUNDS CERTIFYING OFFICER

SIGNATURE OF FUNDS CERTIFYING OFFICER

PHONE NUMBER OF FUNDS CERTIFYING OFFICER

13. Financial and Accounting Data

Line	DCN (Max 6)	Budget/FYs (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	SFO (Max 2)
1							
2							
3							

	Amount	(Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code (Max 7)
1					
2					
3					



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7. NUMBER OF MANUSCRIPT PAGES		8. ESTIMATED NUMBER OF COLUMNS	9. ESTIMATED COST
10. SIGNATURE: (a) REQUESTING OFFICER <i>Eileen G. Edwards</i>		11. SIGNATURE: (a) FEDERAL REGISTER DESIGNEE	
(b) DATE 12/5/02	(c) TELEPHONE NUMBER	(b) DATE	(c) TELEPHONE NUMBER

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1							<div>(Max 2)</div>
2							
3							

	Amount	(Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code (Max 7)
1					
2					
3					

SIP SUBMITTAL COMPLETENESS CRITERIA CHECKLIST

(in accordance with 40 CFR Part 51 - App. V)

SIP Submitted by: Pennsylvania Department of Environmental Protection

Date Submitted: December 26, 2001

Subject: Sulfur Dioxide nonattainment areas in Warren County, PA.

Completeness Review

Completed by: Denis Lohman

Date Completed: February 1, 2002

Administrative Materials

ACCEPTABLE

EPA REQUIREMENT	STATE SUBMITTAL	(X)
1. A formal letter of submittal from the Governor or his designee, requesting EPA approval of the plan or revision thereof.	1. Letter, dated December 26, 2001, from David E. Hess, Secretary, PA DEP to Donald S. Welsh, Regional Administrator.	X
2. Evidence that the State has adopted the plan in the State code or body of regulations; or issued the permit, order, consent agreement in final form. That evidence shall include the date of adoption or final issuance as well as the effective date of the plan, if different from the adoption/issuance date.	2.a. Permit number 62-017E issued to United Refining Company, dated June 11, 2001. b. Title V permit number 62-00012 issued to Reliant Energy issued May 4, 2000, and effective November 21, 2001.	X
3. Evidence that the State has the necessary legal authority under State law to adopt and implement the plan.	3.PA DEP issued the permits pursuant to Section 127.446 of Chapter 127 of the Rules and Regulations of Department of Environmental Protection in accordance with the Air Pollution Control Act of January 8, 1960, P.L. 2119, as amended.	X

Administrative Materials

EPA REQUIREMENT	STATE SUBMITTAL	(X)
4. A copy of actual regulation, or document submitted for approval and incorporation by reference into the plan, including indication of the changes made to the existing approved plan, where applicable. The submittal shall be a copy of the official State regulation/document signed, stamped, dated by the appropriate State official indicating that it is fully enforceable by the State. The effective date of the regulation/document shall, whenever possible, be indicated in the document itself.	4.a. Permit number 62-017E issued to United Refining Company, dated June 11, 2001. b. Title V permit number 62-00012 issued to Reliant Energy issued May 4, 2000, and effective November 21, 2001.	X
5. Evidence that the State followed all of the procedural requirements of the State's laws and constitution in conducting and completing the adoption/issuance of the plan.	5. Permits were issued as prescribed by the Pennsylvania Code.	X
6. Evidence that public notice was given of the proposed change consistent with procedures approved by EPA, including the date of publication of such notice.	6. Notice of the plan approval and the summary of the conditions were published in the Times Observer, a newspaper of general circulation in Warren County, Pennsylvania on May 8-10, 2001.	X
7. Certification that public hearings were held in accordance with the information provided in the public notice and the State's laws and constitution, if applicable.	7. Notice of public hearing was published in the <i>Pennsylvania Bulletin</i> and in the <i>Warren Times Observer</i> on October 4, 1997. A public hearing was held on Wednesday, November 5, 1997.	X
8. Compilation of public comments and the State's response thereto.	8. Submittal includes Appendix C which summarizes the comments received and contains the response of the Pennsylvania Department of Environmental Protection.	X

Technical Materials

EPA REQUIREMENT	STATE SUBMITTAL	(X)
1. Identification of all regulated pollutants affected by the plan.	1. The regulated pollutant is sulfur dioxide (SO ₂)	X
2. Identification of the locations of affected sources including the EPA attainment/nonattainment designation of the locations and the status of the attainment plan for the affected area(s).	2. a. The Warren Generating Station of Reliant Energy Mid Atlantic Power Holdings LLC, located in Conewango Township of Warren County, PA, an area designated as nonattainment for SO ₂ . b. The United Refining oil refinery, located in the City of Warren of Warren County, PA, an area designated as nonattainment for SO ₂ .	X
3. Quantification of the changes in plan allowable emissions from the affected sources; estimates of changes in current actual emissions from affected sources or, where appropriate, quantification of changes in actual emissions from affected sources through calculations of the differences between certain baseline levels and allowable emissions anticipated as a result of the revision.	3. The permits contain revised allowable emission limits for all SO ₂ sources at each of the two facilities.	X
4. The State's demonstration that the national ambient air quality standards, prevention of significant deterioration increments, reasonable further progress demonstration, and visibility, as applicable, are protected if the plan is approved and implemented.	4. The plan includes a demonstration that the national ambient air quality standards (NAAQS) for sulfur dioxide are protected if the emission limitations prescribed in the orders are applied. The adequacy of this demonstration has not been determined.	X
5. Modeling information required to support the proposed revision, including input data, output data, models used, ambient monitoring data used, meteorological data used, justification for use of offsite data (where used), modes of models used, assumptions, and other information relevant to the determination of adequacy of the modeling analysis.	5. The modeling demonstration used in support of the NAAQS demonstration is included.	X

Technical Materials

EPA REQUIREMENT	STATE SUBMITTAL	(X)
6. Evidence, where necessary, that emission limitations are based on continuous emission reduction technology.	6 Emission limitation are based upon continuous monitoring of input specifications.	X
7. Evidence that the plan contains emission limitations, work practice standards and recordkeeping/reporting requirements, where necessary, to ensure emission levels.	7. Emission limitations and recordkeeping/reporting requirements are specified in the Title V and operating permits.	X
8. Compliance/enforcement strategies, including how compliance will be determined in practice.	8 Compliance is to be determined by continuous emissions monitoring.	X
9. Special economic and technological justifications required by any applicable EPA policies. (If a policy is not appropriate, explain why.)	9. Not applicable	X
10. A Section 107 request must be accompanied by a maintenance plan demonstrating maintenance to the relevant NAAQS for at least 10 years after redesignation.	10. Not applicable.	X

ATTACHMENT

APPROVABILITY CHECKLIST - ENFORCEABILITY

SIP Package No. 52.2020(c)(190) **SIPTRAX No.** PA184

Date Received: February 24, 2000

STATE: Pennsylvania

Subject Matter: Warren County Sulfur Dioxide Implementation Plan

Specific Provision: Operating Permits

Enforceability Analysis	State Submittal	EPA Requirement	Approvability
1. Applicability:			
a. What sources are being regulated?	Warren Generating Station, Reliant Energy United Refining Company	Clarify	Approvable
b. What are criteria for exemption?	Not applicable.	Clarify	Approvable.
c. Is calculation procedure for exemption clearly specified?	Not applicable.	Example calculation or clear explanation of how to determine exemption (line by line, etc.)	Approvable.
d. Is emission inventory listed in the background document of the attainment demonstration?	An inventory of the allowable emission rates for all pertinent sources has been included. There are no nearby background sources.	Inventory including allowable and actual emissions in source category should be included, for enforcement purposes and independent of any Clean Air Act requirements, in the attainment demonstration if such data is necessary for determining baselines in regulations.	Approvable.

Enforceability Analysis	State Submittal	EPA Requirement	Approvability
e. Is the averaging time(s) used in the rule different from the ambient standard?	The orders indicate hourly averaging times for the emission limits for the pollutant sulfur dioxide.	The averaging time in the rule must be consistent with protecting the ambient standard in question. Normally, it should be equal to or shorter than the time associated with the standard. Longer term averaging is available only in limited instances provided that the ambient standard is not compromised.	Approvable.
f. What are the units of compliance (lbs VOC per gallon of solids applied less water, grains per standard cubic foot?)	The units of compliance are lbs per hour for United Refining and lbs/mmBtu for Warren Generating Station. Each of the limits is clearly stated in the permits.	Clearly stated in the rule.	Approvable.
g. Is bubbling or averaging of any type allowed? If yes, state criteria. Could a U.S. EPA inspector independently determine if the criteria were met? Does EPA have to approve each case.	Not applicable.	Explicit description of how averaging, bubbling, or equivalency is to be determined. VOC equivalency must be on a "solids applied" basis. Any method must be independently reproducible. Provision must be explicit as to whether EPA case-by-case approval required. If provision intended to be "generic" then EPA bubble policy must be met.	Approvable.

Enforceability Analysis	State Submittal	EPA Requirement	Approvability
h. If there is a redesignation, will this change the emission limitations? If yes, which ones and how?	Not applicable.	Regulation may not automatically allow for self nullification upon redesignation of area to attainment. New maintenance demonstration required in order to drop regulation.	Approvable

Enforceability Analysis	State Submittal	EPA Requirement	Approvability
2. Compliance Dates:			
a. What is compliance date?	The terms of the permits are effective upon issuance.	Must not be later than approved or about to be approved date of attainment unless emission reductions are not necessary for attainment. In some cases, it will be necessary for the regulation to specify dates in compliance schedules that are required to be submitted by source to state.	Approvable.
b. What is the attainment date?	There is no attainment date explicit in the SIP revision. The recent monitoring date in the area indicates that Warren County is already attaining the SO ₂ NAAQS.	The comment above applies.	Inasmuch as attainment is currently demonstrated this is Approvable.

Enforceability Analysis	State Submittal	EPA Requirement	Approvability
3. Specificity of Conduct:			
a. What test method is required?	Test methods are explicitly prescribed. CEMs are required for the most important sources.	Test method must be explicitly stated.	Approvable.
b. What is the averaging time in compliance test method?	The averaging times in the compliance test method are to be equal to the hourly averaging times of the established emission limits.	Averaging time and application of limit must be explicit.	Approvable.
c. Is a compliance calculation or evaluation required? (i.e., daily weighted average for VOC).	No calculations are required.		Approvable.
d. If yes to "c", list the formula, period of compliance, and/or evaluation method.		Formula must be explicit.	Approvable.
4. Incorporation by Reference:			
a. What is state authority for rulemaking?	The orders were authorized and entered pursuant to Chapter 127 of the Rules and Regulations of the Pennsylvania Department of Environmental Protection.	The State has the authority to adopt EPA test methods by reference.	Approvable.
b. Are methods or rules incorporated by reference in the right manner.	Where appropriate references are made to EPA or ASTM methods.		Approvable.
5. Recordkeeping:			
a. What records are required to determine compliance?	Daily emissions records are required to be available for five years and reported upon request by the DEQ.	Clarify	Approvable.

Enforceability Analysis	State Submittal	EPA Requirement	Approvability
b. In what form or units (lbs-/gal, gr/dscf, etc.) must the records be kept? On what time basis (instantaneously, hourly, daily)?	Records of emissions must be kept in units that are consistent with the applicable emission limitations.	Records to be kept must be consistent with units of compliance in the performance requirements, including the applicable time period.	Approvable.
c. Does the rule affirmatively require the records be kept?	The orders require the maintenance of records for 5 years.	There must be a clear separately enforceable provision that requires records to be kept.	Approvable.
6. Exemptions:			
a. List any exemptions allowed.	Not applicable.	Must be clearly defined and distinguishable from what constitutes a violation.	Approvable.
b. Is the criteria for application clear?	Not applicable.		Approvable.
7. Malfunction Provisions:	Not applicable	Rule must specify what exceedances may be excused, how the standard is to be applied, and who makes the determination.	Approvable.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FEB 07 2002

Ms. Joyce Epps, Director
Bureau of Air Quality Control
Pennsylvania Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 8468
Harrisburg, PA 17105-8468

Dear Ms. Epps:

On January 2, 2002, the U.S. Environmental Protection Agency (EPA) received a revision to the Pennsylvania State Implementation Plan (SIP) from the Pennsylvania Department of Environmental Protection (PADEP) pertaining to the sulfur dioxide nonattainment areas of Conewango Township, Pleasant Township, Glade Township, and the City of Warren in Warren County, Pennsylvania. PADEP submitted this SIP revision to EPA on December 26, 2001. It has been determined to be administratively and technically complete, and EPA is reviewing it to prepare the appropriate rulemaking.

If members of your staff have any questions, they may direct them to Mr. Denis Lohman, Air Quality Planning and Information Services Branch, at (215) 814-2192. He is the principal contact for this rulemaking.

Sincerely,

A handwritten signature in dark ink, appearing to read "Judith M. Katz", is positioned above the typed name.

Judith M. Katz, Director
Air Protection Division

**Controlled Correspondence For
AIR PROTECTION DIVISION**

ELLEN
Share w/
Denny

CONTROL NO : RADA-0200717

ORIG. DUE DATE:

FILE CODE: GC/RADA GENERAL CORRESPONDENCE (RADA)

STATUS: CONTROLLED

CORRES. DATE: 08/20/2002

RECEIVED DATE: 08/27/2002

ASSIGNED DATE: 08/29/2002

CLOSED DATE:

FROM: HESS DAVID E.

ORG: PA DEPT. OF ENVIRONMENTAL PROTECTION

SALUTATION:

CONSTITUENT:

TO: WELSH/DONALD S.

TO ORG: REGIONAL ADMINISTRATOR

SUBJECT: APPENDIX B OF THE COMPREHENSIVE WARREN COUNTY SO2 SIP
REVISION TO REPLACE THE PREVIOUSLY SUBMITTED APPENDIX B
PORTION OF THE SIP REVISION

ASSIGNED: OZONE & MOBILE SOURCE BRANCH

COPIES OF INCOMING PROVIDED TO:

SIGNATURE:

APD COMMENTS: COPY PROVIDED TO 3AP11.

RADA INSTRUCTIONS: REVIEW, TAKE APPROPRIATE ACTION

APD INSTRUCTIONS: REVIEW, TAKE APPROPRIATE ACTION

	Assigned	Date Assigned	Code/Status	Date Completed by Assignee	Date Returned to APD :
Lead	3AP21	08/29/2002	ACTION	-	-

RECEIVED

'AUG 29 2002

Air Protection Division

**Controlled Correspondence For
Office of the Regional Administrator/Deputy Regional Administrator**

CONTROL NO : RADA-0200717

ORIG. DUE DATE:

FILE CODE: GC/RADA GENERAL CORRESPONDENCE (RADA)

STATUS: CONTROLLED

CORRES. DATE: 08/20/2002

RECEIVED DATE: 08/27/2002

ASSIGNED DATE: 08/28/2002

CLOSED DATE:

FROM: HESS DAVID E.

ORG: PA DEPT. OF ENVIRONMENTAL PROTECTION

SALUTATION:

CONSTITUENT:

TO: WELSH/DONALD S.

TO ORG: REGIONAL ADMINISTRATOR

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PORTION OF THE SIP REVISION

ASSIGNED: AIR PROTECTION DIVISION

COPIES OF INCOMING PROVIDED TO:

SIGNATURE:

RADA COMMENTS: MO

RADA INSTRUCTIONS:

REVIEW, TAKE APPROPRIATE ACTION

	Assigned	Date Assigned	Code/Status	Date Completed by Assignee	Date Returned to RADA :
Lead	APD	08/28/2002	REV/TAKE APPR ACTION	-	-

190

**Controlled Correspondence For
Office of the Regional Administrator/Deputy Regional Administrator**

CONTROL NO : RADA-0200003

ORIG. DUE DATE: 01/16/2002

STATUS: PENDING

CORRES. DATE: 12/26/2001

RECEIVED DATE: 01/02/2002

ASSIGNED DATE: 01/02/2002

CLOSED DATE:

FROM: HESS DAVID E.

ORG: PA DEPT. OF ENVIRONMENTAL PROTECTION; PA DEP

SALUTATION:

CONSTITUENT:

TO: WELSH/DONALD S

TO ORG: REGIONAL ADMINISTRATOR

SUBJECT: 3 COPIES OF RECOMMENDED COMPREHENSIVE PA SIP F/SULFUR
DIOXIDE NONATTAINMENT AREAS OF CONEWANGO TOWNSHIP, GLADE
TOWNSHIP, & CITY OF WARREN IN WARREN COUNTY, PA

ASSIGNED: AIR PROTECTION DIVISION

COPIES OF INCOMING PROVIDED TO:

SIGNATURE: ACTING REGIONAL ADMINISTRATOR

RADA COMMENTS: THIS ITEM IS BEING TRACKED

RADA INSTRUCTIONS:

PREPARE FOR ACTING RA'S SIGNATURE

	Assigned	Date Assigned	Code/Status	Date Completed by Assignee	Date Returned to RADA :
Lead	APD	01/02/2002	SIGNATURE	-	-